

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

---

No: 24-3137

---

Custom Communications, Inc., doing business as Custom Alarm

Petitioner

v.

Federal Trade Commission

Respondent

-----  
American Property Casualty Insurance Association; Consumer Credit Industry Association;  
Health & Fitness Association; International Franchise Association; National Association of Spa  
Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.;  
Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action;  
National Consumers League; National Consumer Law Center; National Association of  
Consumer Advocates

Amici on Behalf of Respondent

---

No: 24-3388

---

The Chamber of Commerce of the United States of America; The Georgia Chamber of  
Commerce

Petitioners

v.

Federal Trade Commission

Respondent

-----  
American Property Casualty Insurance Association; Consumer Credit Industry Association;

Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

---

No: 24-3415

---

Michigan Press Association; National Federation of Independent Business, Inc.

Petitioners

v.

Federal Trade Commission

Respondent

-----

American Property Casualty Insurance Association; Consumer Credit Industry Association; Health & Fitness Association; International Franchise Association; National Association of Spa Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.; Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action; National Consumers League; National Consumer Law Center; National Association of Consumer Advocates

Amici on Behalf of Respondent

---

No: 24-3442

---

Electronic Security Association; Interactive Advertising Bureau; NCTA-The Internet & Television Association

Petitioners

v.

Federal Trade Commission

Respondent

-----

American Property Casualty Insurance Association; Consumer Credit Industry Association;  
Health & Fitness Association; International Franchise Association; National Association of Spa  
Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.;  
Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action;  
National Consumers League; National Consumer Law Center; National Association of  
Consumer Advocates

Amici on Behalf of Respondent

-----

No: 24-3469

-----

Custom Communications, Inc., doing business as Custom Alarm; Electronic Security  
Association; Interactive Advertising Bureau; NCTA-The Internet & Television Association;  
Michigan Press Association; National Federation of Independent Business, Inc.; The Chamber of  
Commerce of the United States of America; The Georgia Chamber of Commerce

Petitioners

v.

Federal Trade Commission

Respondent

-----

American Property Casualty Insurance Association; Consumer Credit Industry Association;  
Health & Fitness Association; International Franchise Association; National Association of Spa  
Franchises; Service Contract Industry Council

Amici on Behalf of Petitioner

Internet and Consumer Law Professors; Main Street Alliance; Truth in Advertising, Inc.;  
Consumer Law and Economic Justice; Consumer Federation of America; Consumer Action;  
National Consumers League; National Consumer Law Center; National Association of  
Consumer Advocates

Amici on Behalf of Respondent

-----

Petition for Review of an Order of the Federal Trade Commission  
(Negative Option Rule RIN 3084-AB60)  
(Negative Option Rule RIN 3084-AB60)  
(Negative Option Rule RIN 3084-AB60)  
(Negative Option Rule RIN 3084-AB60)  
(Negative Option Rule RIN 3084-AB60)

---

**JUDGMENT**

Before LOKEN, ERICKSON, and KOBES, Circuit Judges.

These appeals were submitted on petitions for review of an order of the Federal Trade Commission, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the petitions for review are granted and the Rule is vacated in accordance with the opinion of this court.

July 08, 2025

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Susan E. Bindler